IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 15TH MARCH 2007 / 24TH PHALGUNA 1928

WP(C).No. 17802 of 2006(T)

PETITIONER:

RAMA DEVI. K., KOLLAIKKAL HOUSE,
PUDUSSERY, PALAKKAD.

BY ADV. SRI.PHILIP T.VARGHESE

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY, HIGHER SECONDARY EDUCATION
DEPARTMENT, GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM.

2. LBS CENTRE FOR SCIENCE & TECHNOLOGY
NANDAVANAM, PALAYAM, THIRUVANANTHAPURAM-695 033.

BY ADV. SRI.P.B.SURESH KUMAR SC, LBS CENTRE
BY GOVERNMENT PLEADER SMT.N.SUDHADEVI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 15/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.17802/2006

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE PROVISIONAL DEGREE CERTIFICATE OF M.A. DEGREE ISSUED TO THE PETITIONER BY ANNAMALAI UNIVERSITY DT.20.9.02.

EXT.P2:- COPY OF THE 1ST YEAR M.A. MARK LIST ISSUED TO THE PETITIONER BY ANNAMALAI UNVIERSITY DT.14.9.01.

EXT.P2(a):- COPY OF THE 2ND YEAR M.A. MARK LIST ISSUED TO THE PETITIONER BY ANNAMALAI UNIVERSITY DT.20.9.02.

EXT.P3:- COPY OF THE PROVISIONAL DEGREE CERTIFICATE OF B.ED. DEGREE ISSUED TO THE PETITIONER BY BHARATIAR UNIVERSITY DT.16.11.95.

EXT.P4:- COPY OF THE EQUIVALENT CERTIFICATE ISSUE TO THE PETITIONER BY UNIVERSITY OF CALICUT DT.2.11.02.

EXT.P5:- COPY OF THE RECEIPT DT.19.11.02 ISSUED BY THE 2ND RESPONDENT.

EXT.P6:- COPY OF THE RESULT PUBLISHED IN MATHRUBHUMI DAILY DT.22.12.02.

EXT.R2(a):- COPY OF THE PROSPECTUS PUBLISHED FOR SET 2002 EXAMINATION DT.10.10.02.

/TRUE COPY/

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K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 17802 OF 2006-T

JUDGMENT

The petitioner has approached this Court, seeking the following reliefs:

> "(i) issue a writ of mandamus or any other appropriate writ or direction to the respondents to declare the result of SET examination undergone by the petitioner on 15.12.2002;
>
> (ii) declare that Clauses 2.1 and 2.6 of the prospectus of SET examination conducted in December 2002 stipulating production of Equivalency Certificate is illegal and quash the same."

The petitioner obtained the basic qualification from a University outside the State. Since she failed to produce the equivalency certificate, her results were not declared. The aforementioned clauses in Ext.R2(a) prospectus specifically provides that candidates from Universities outside the State should produce equivalency certificate. The petitioner feeling desperate, has ventured to challenge the said stipulations. I find nothing illegal or irregular with those stipulations. It is common knowledge that there are several Degrees granted by several paper Universities. Unless one of the Universities in Kerala grants equivalency certificate to the Degree obtained

from an outside University, the same cannot be accepted as a valid qualification. The impugned conditions are introduced in public interest. If those conditions are valid the first prayer of the petitioner cannot be granted. Accordingly, the Writ Petition fails and it is dismissed.

15th March, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/